

SAMPLE

**PREQUALIFICATION
DOCUMENTS
for
Procurement of
*[insert identification of the Works]***

Project: *[insert name of Project]*
Employer: *[insert name of Employer]*
Reference No.: *[insert number]*

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Section I. Instructions to Applicants

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A. General

1. Scope of Application

- 1.1 *[insert name of the executing agency]*, *[insert formal name of the recipient country]* (hereinafter referred to as “the Client”) issues these documents (hereinafter referred to as “the Prequalification Documents”) for prequalification to bid for the works as specified in Section IV, Scope of Works.
- 1.2 Throughout these Prequalification Documents:
- (a) the term “in writing” means communicated in written form and delivered against receipt;
 - (b) except where the context requires otherwise, words indicating the singular also include the plural and word indicating the plural also include the singular; and
 - (c) “day” means calendar day.

2. Source of Funds

- 2.1 The Government of *[insert name of the recipient country]* has received a Japanese ODA Grant (hereinafter referred to as “the Grant”) from Japan International Cooperation Agency (hereafter referred to as “JICA”) on the bases of the Grant Agreement (hereinafter referred to as “G/A”) signed on the *[insert date]* day of *[insert month]*, *[insert year]*, between the Government of *[insert name of the recipient country]* and JICA concerning *[insert name of the project on the G/A]* (hereinafter referred to as “the Project”). The Government of *[insert name of the recipient country]* intends to apply the grant to eligible payments under the contract(s) for which these Bidding Documents are issued.
- 2.2 Disbursement of the Grant by JICA will be subject, in all respects, to the terms and conditions of the G/A, including the disbursement procedures and the applicable Procurement Guidelines for the Japanese Grants. No party other than the Government of *[insert name of the recipient country]* shall derive any rights from the G/A.
- 2.3 The above G/A will cover only a part of the Project cost. As for the remaining portion, the Government of *[insert name of the recipient country]* will take appropriate measures for finance.

3. Corrupt and Fraudulent Practices

- 3.1 It is JICA’s policy to require that Applicants, as well as the Government of *[insert name of the recipient country]*, under contracts funded with the Grant and other Japanese ODA, observe the highest standard of ethics during the procurement and execution of such contracts. In pursuance of this policy, JICA:
- (a) will reject a proposal for award if JICA determines that the Applicant recommended for award has engaged in corrupt or fraudulent practices in competing for the contract in question; and
 - (b) will recognize an Applicant as ineligible, for a period determined by JICA, to be awarded a contract funded with

the Grant, if it at any time, determines that the Applicant has engaged in corrupt or fraudulent practices in competing for, or in executing, another contract funded with Japanese Grants or other Japanese ODA.

4. Eligible Applicants

- 4.1 An Applicant may be a firm that is a single entity or any combination of such entities in the form of a joint venture (JV) under an existing agreement or with the intent to enter into such agreement supported by a letter of intent. In the case of a JV, all members shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms. The JV shall nominate a representative who shall have the authority to conduct all business for and on behalf of any and all the members of the JV during the bidding process and, in the event the JV is awarded the Contract, during contract execution.
- 4.2 An Applicant, or each JV member in case the Applicant is a JV, shall have registered itself as a construction company under the laws of the *[insert name of the recipient country]*.
- 4.3 An Applicant (the representative of the JV, in case of a JV) shall be a firm that has bought or obtained the Prequalification Documents directly from the Client.
- 4.4 An Applicant, or all JV members in case the Applicant is a JV, shall not have a conflict of interest. An Applicant shall not be employed under any of the circumstances set forth below, where it is determined to have a conflict of interest throughout the bidding/selection process and/or the execution of the Contract unless the conflict has been resolved in a manner acceptable to JICA.
 - (a) A firm that provides consulting services for the preparation or implementation of the Project, shall be disqualified from providing products or non-consulting services resulting from or directly related to such consulting services. A firm who has any of the following capital, personal or contractual ties (including similar ones) with the above-mentioned firm shall also be disqualified.
 - (i) a parent company of a subsidiary
 - (ii) subsidiary companies of the same parent company
 - (iii) a firm whose director, officer or executive officer serves as a director, officer or executive officer in the above-mentioned firm
 - (iv) a firm whose director serves as a trustee
 - (v) a sub-consultant, directly employed by the above-mentioned firm, who plays a major role in preparation and implementation of the Project
 - (b) A firm that has a close business relationship with the officials of the Government of *[insert name of the recipient country]*, who are directly or indirectly involved in any part of: (i) the preparation of the Prequalification Documents and Bidding Documents for the contract, (ii) the Prequalification

- and Bid evaluation, or (iii) the supervision of such contract, shall be disqualified.
- (c) A firm and a firm who has capital or personal ties (including similar ones) set forth (i) to (iv) of Paragraph (a) above with that firm (hereinafter referred to as “Related Firm”) may submit their applications for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, based on the “One Bid Per Bidder” principle, which is to ensure fair competition, the Related Firm shall not be allowed to submit more than one Bid, either individually as a Bidder or as a member of a JV. All Bids submitted in violation of this procedure will be rejected. A firm (including the Related Firm) may participate in other Bids, only in the capacity of a subcontractor.
- (d) A firm may not involve any individual (whether as employee, contractor or otherwise) in the provision of products or non-consulting services for the Project, who is, has been or is intended to be assigned (whether by the consultant, a sub-consultant or any other party) to provide consulting services for the preparation or implementation of the Project.
- (e) A firm or an individual having any other form of conflict of interest other than (a) through (d) above shall be disqualified or excluded.
- 4.5 An Applicant shall be nationals from any of the eligible source countries as indicated in the G/A, i.e. *[insert names of eligible source countries]*. The term “nationals” from eligible source countries in this ITB means the physical persons of said countries or juridical persons of said countries controlled by the physical persons of said countries.
- 4.6 An Applicant shall provide such evidence of eligibility satisfactory to the Client, as the Client shall reasonably request.

B. Contents of Prequalification Documents

- 5. Sections of Prequalification Documents**
- 5.1 The Prequalification Documents consist of four (4) Sections as indicated below, and should be read in conjunction with any addenda issued.
- Section I. Instructions to Applicants (ITA)
 - Section II. Qualification Criteria and Requirement
 - Section III. Application Forms
 - Section IV. Scope of Works
- 5.2 The Invitation for Prequalification issued by the Client is not part of the Prequalification Documents.
- 5.3 Unless obtained directly from the Client, the Client is not responsible for the completeness of the Prequalification Documents, responses to requests for clarification, or addenda to

- the Prequalification Documents in accordance with ITA 7.
- 5.4 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Documents and to furnish with its Application all information and documentation as is required by the Prequalification Documents.
- 6. Clarification of Prequalification Documents**
- 6.1 An Applicant requiring any clarification of the Prequalification Documents shall contact the Client in writing at the Client's address specified hereunder. The Client will respond in writing to any request for clarification, provided that such request is received no later than fourteen (14) days prior to the deadline for submission of Applications. The Client shall forward copies of its response to all Applicants who have acquired the Prequalification Documents directly from the Client, including a description of the inquiry but without identifying its source. Should the clarification result in changes to the essential elements of the Prequalification Documents, the Client shall amend the Prequalification Documents following the procedure under ITB 7.
- For clarification purpose only, the Client's address is:
 Attention: *[insert name of Project Officer]*
 Address: *[insert address of Client Office]*
 Telephone: *[insert telephone number]*
 E-mail address: *[insert e-mail address]*
- 6.2 A respective Applicant is advised to visit and examine the Site of Works and its surroundings and obtain for itself on its own responsibility all information that may be necessary for preparing the Application and entering into a contract for construction of the Works. The costs of visiting the Site shall be at the Applicant's own expense.
- 6.3 The Applicant and any of its personnel or agents will be granted permission by the Client to enter upon its premises and lands for the purpose of such visit, but only upon the express condition that the Applicant, its personnel, and agents will release and indemnify the Client and its personnel and agents from and against all liability in respect thereof, and will be responsible for death or personal injury, loss of or damage to property, and any other loss, damage, costs, and expenses incurred as a result of the inspection.
- 7. Amendment of Prequalification Documents**
- 7.1 At any time prior to the deadline for submission of Applications, the Client may amend the Prequalification Documents by issuing addenda.
- 7.2 Any addendum issued shall be part of the Prequalification Documents and shall be communicated in writing to all Applicants who have acquired the Prequalification Documents directly from the Client.
- 7.3 To give prospective Applicants reasonable time in which to take an addendum into account in preparing their Applications, the

Client may extend the deadline for the submission of Applicants, pursuant to ITA 15.2.

C. Preparation of Applications

- 8. Cost of Prequalification** 8.1 The Applicant shall bear all costs associated with the preparation and submission of its Application, and the Client shall not be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
- 9. Language of Application** 9.1 The Application, as well as all correspondence and documents relating to the prequalification, exchanged by the Applicant and the Client, shall be written in the **English** language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the **English** language, in which case, for purposes of interpretation of the Application, such translation shall govern.
- 10. Documents Comprising the Application** 10.1 The Application shall comprise the following:
(a) Application Submission Form;
(b) Acknowledgement of Compliance with Procurement Guidelines for Japanese Grants;
(c) documentary evidence in accordance with ITA 12 establishing the Bidder's qualifications to perform the contract; and
(d) any other document required in this "Instructions to Applicants".
- 11. Application Submission Form** 11.1 The Applicant shall complete an Application Submission Form as provided in Section III, Application Forms. This Form must be completed without any alteration to its format.
- 12. Documents Establishing the Qualifications of the Applicant** 12.1 To establish its qualifications to perform the contract in accordance with Section II, Qualification Criteria and Requirement, the Applicant shall provide the information requested in the corresponding information sheets included in Section III, Application Forms.
- 13. Format and Signing of Application** 13.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 10 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized signatories.

- 13.2 The Applicant shall submit two (2) copies of the signed original Application and clearly mark them “COPY”. In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

14. Sealing and Identification of Applications

- 14.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- (a) bear the name and address of the Applicant; and
 - (b) be addressed to the Client, in accordance with ITA 15.1.
- 14.2 The Client will accept no responsibility for not processing any envelope that was not identified as required in ITA 14.1 above.

15. Deadline for Submission of Applications

- 15.1 Applicants may either submit their Applications by mail or by hand. Application shall be received by the Client at the address and no later than the date and time below:
For the submission purpose only, the Client’s address is:
Attention: *[insert name of Project Officer]*
Address: *[insert address]*
The deadline for the submission is:
Date: *[insert day, month, and year, i.e. 15 June, 2001]*
Time: *[insert time, and identify if a.m. or p.m., i.e. 10:30 a.m.]*
- 15.2 The Client may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Documents in accordance with ITA 7, in which case all rights and obligations of the Client and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.
- 15.3 The Client reserves the right to accept or reject late Applications.

E. Procedures for Evaluation of Applications

16. Confidentiality

- 16.1 Information relating to the Applications, their evaluation and result shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants.
- 16.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification, any Applicant that wishes to contact the Client on any matter related to the prequalification process (except as specified in ITA 16.1 above), may do so only in writing.

17. Clarification of Applications

- 17.1 To assist in the evaluation of Applications, the Client may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted within a stated reasonable period of time. Any request for clarification from the

Client and all clarifications from the Applicant shall be in writing.

17.2 If an Applicant does not provide clarifications of the information requested by the date and time set in the Client's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

18. Responsiveness of Applicants

18.1 The Client may reject any Application which is not responsive to the requirements of the Prequalification Documents. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 18.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

F. Evaluation of Applications and Prequalification of Applicants

19. Evaluation of Applications

19.1 The Client shall use the factors, methods, criteria, and requirements defined in Section II, Qualification Criteria and Requirements to evaluate the qualifications of the Applicants, and no other methods, criteria, or requirements shall be used. The Client reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the contract.

19.2 In case of multiple contracts, Applicants should indicate in their Applications the individual contract or combination of contracts in which they are interested. The Client shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the aggregate requirements or any other reasonable requirements set forth by the Client.

19.3 The Qualification Criteria and Requirements are mentioned in Section II.

20. Client's Right to Accept or Reject Applications

20.1 The Client reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to Applicants.

21. Prequalification of Applicants

21.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Client.

22. Notification of Prequalification

22.1 The Client shall notify all Applicants in writing of the names of those Applicants who have been prequalified. In addition, those Applicants who have disqualified will be informed separately.

- 22.2 Applicants that have not been prequalified may write to the Client to request, in writing, or in a meeting, the grounds on which they were disqualified.
- 23. Invitation for Bids**
- 23.1 Promptly after the notification of the results of the prequalification, the Client shall invite Bids from all the applicants that have been prequalified.
- 23.2 Bidders may be required to provide a Bid Security acceptable to the Client in the form and an amount to be specified in the Bidding Documents, and the successful Bidder shall be required to provide a Performance Security to be specified in the Bidding Documents.

Section II. Qualification Criteria and Requirements

1. Eligibility

Factor	Compliance Requirement	Documentation
Registration	Registration as a construction company in accordance with ITA 4.2.	Forms ELI-1 and 2, with attachments
Nationality	Nationality in accordance with ITB 4.6.	Forms ELI-1 and 2, with attachments
Conflict of Interest	No conflicts of interest in ITB 4.4.	Letter of Bid

2. Historical Contract Non-Performance

Factor	Compliance Requirement	Documentation
History of Non-Performing Contracts	Non-performance of a contract ⁽ⁱ⁾ did not occur as a result of contractor's default for the last two (2) calendar years.	Form CON
Pending Litigation	All pending litigation shall in total not represent more than 50 % of the Applicant's net worth and shall be treated as resolved against the Applicant.	Form CON
Litigation History	No consistent history of court/arbitral award decisions against the Applicant ⁽ⁱⁱ⁾ for the last five (5) calendar years.	Form CON

Notes for the Applicant

(i) Non-performance, as decided by the Client, shall include all contracts

- (a) where non-performance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and
- (b) that were so challenged but fully settled against the contractor.

Non-performance shall not include contracts where Client's decision was overruled by the dispute resolution mechanism. Non-performance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the Applicant have been exhausted.

(ii) The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five (5) years. A consistent history of awards against the Applicant may result in failure of the prequalification.

3. Financial Situation

Factor	Compliance Requirement	Documentation
Financial Performance	The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Client, for the last five (5) years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term	Form FIN-1 with attachments

	profitability. As the minimum requirement, an Applicant's net worth calculated as the difference between total assets and total liabilities should be positive.	
Average Annual Construction Turnover	Minimum average annual construction turnover of USD <i>[insert amount in USD]</i> , calculated as total certified payments received for contracts in progress and/or completed, within the last five (5) years, divided by five (5) years.	Form FIN-2

4. Financial Resources

Factor	Compliance Requirement	Documentation
Financial Resources	The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as USD <i>[insert amount in USD]</i> for the subject contract(s) net of the Applicant's other commitments.	Form FIR-1
	The Applicant shall also demonstrate, to the satisfaction of the Client, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.	Form FIR-1 and FIR-2

5. Experience

Factor	Compliance Requirement	Documentation
General Construction Experience	Experiences under construction contracts specified below, in the role of prime contractor (single entity or JV member), subcontractor, or management contractor for the last <i>three (3) calendar years</i> . - <i>Five (5) contracts</i> , each of minimum value of USD <i>[insert amount in USD]</i> .	Form EXP-1
Specific Construction Experience	Experiences of similar ⁽ⁱ⁾ contracts specified below, that have been satisfactorily and substantially ⁽ⁱⁱ⁾ completed as a prime contractor (single entity or JV member ⁽ⁱⁱⁱ⁾) for the last five (5) calendar years. - <i>Five (5) contracts</i> , each of minimum value of USD <i>[insert amount in USD]</i> .	Form EXP-2

Notes for the Applicant

(i) The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section IV, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.

(ii) Substantial completion shall be based on 80% or more of the works completed under

the contract.
(iii) For contracts under which the Applicant participated as a JV member, only the Applicant's share, by value, shall be considered to meet this requirement.

Wherever a Form in Section III, Application Forms, requires an Applicant to state a monetary amount, Applicants should indicate the USD equivalent using the rate of exchange determined as follows:

(a) For construction turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year.

(b) Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from publicly available source acceptable to the Client. Any error in determining the exchange rates may be corrected by the Client.

In case of the Applicant as a Joint Venture, each member of JV shall meet "Compliance Requirement" criteria of "2. Eligibility and Qualification", except "2.4. Financial Resources". The requirement of "2.4. Financial Resources" shall be met by all parties combined of the JV.

Section III. Application Forms

Table of Forms

- A. Application Submission Form.....
- B. Applicant's Qualification
 - ✓ Form ELI: Bidder Information Form
 - ✓ Form ELI-2: Bidder's Party Information Form
 - ✓ Form CON: Historical Contract Non-Performance
 - ✓ Form FIN-1: Financial Situation
 - ✓ Form FIN-2: Average Annual Construction Turnover
 - ✓ Form FIR-1: Financial Resources
 - ✓ Form FIR-2: Current Contract Commitments
 - ✓ Form EXP-1: General Construction Experience
 - ✓ Form EXP-2: Specific Construction Experience
- C. Form ACK: Acknowledgement of Compliance with Procurement Guidelines for the Japanese Grants

A. Application Submission Form

Date: *[insert day, month and year]*
Reference No.: *[insert Reference No.]*

To: *[insert complete name of Client]*

We, the undersigned, apply to be prequalified for the contract of referenced number and declare that:

- (a) We have examined and have no reservations to the Prequalification Documents, including addenda No(s). issued in accordance with Instructions to Applicants (ITA) 7: *[insert the number and issuing date of each Addendum]*
- (b) We, including subcontractor, meet the eligibility requirements as stated in ITA 4.
- (c) We, including subcontractor, have no conflict of interest in accordance with ITA 4.
- (d) We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to bid for the contract subject of this prequalification, without incurring any liability to the Applicants, in accordance with ITA 20.
- (e) All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant's name *[insert full name of Applicant]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For a JV, an authorized representative of the JV shall sign, in which case the power of attorney to sign on behalf of all members shall be attached.]

B. Applicant's Qualification

[To establish its qualifications to perform the Contract in accordance with Section II, Evaluation and Qualification Criteria, Factor 1, the Applicant shall provide the information requested in the corresponding Forms included hereunder.]

Form ELI-1: Bidder Information Form

Date: *[insert day, month, year]*

[The Applicant shall provide the following information.]

Applicant's legal name:
In case of a JV, legal name of the representative member and of each member:
Applicant's actual or intended country of registration:
Applicant's year of incorporation:
Applicant's legal address in country of registration:
Applicant's authorized representative information: Name: Address: Telephone: E-mail address:
Attached are copies of original documents of <input type="checkbox"/> Article of Incorporation (or equivalent documents of constitution or association) <input type="checkbox"/> Documents of registration of the legal entity named above <input type="checkbox"/> In case of JV, letter of intent to form JV or JV agreement

Form ELI-2: Applicant's Party Information Form

Date: *[insert day, month, year]*

[The following form is additional to Form ELI-1, and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this process.]

Applicant's legal name:
Applicant's Party legal name:
Applicant's Party country of registration:
Applicant's Party year of incorporation:
Applicant's Party legal address in country of registration:
Applicant's Party authorized representative information: Name: Address: Telephone: E-mail address:
Attached are copies of original documents of <input type="checkbox"/> Article of Incorporation (or equivalent documents of constitution or association) <input type="checkbox"/> Documents of registration of the legal entity named above

Form CON: Historical Contract Non-Performance

Date: *[insert day, month, year]*
 Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

1. History of Non-Performing Contracts

<input type="checkbox"/> Contract non-performance did not occur for the last two (2) calendar years, in accordance with Section II, Evaluation and Qualification Criteria, Factor 2.			
<input type="checkbox"/> Contract(s) not performed for the last two (s) calendar years, in accordance with Section II, Evaluation and Qualification Criteria, Factor 2 is(are) indicated below:			
Year	Non- performed portion of contract	Contract Identification	Total Contract Amount (USD equivalent)
	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: <i>[insert full name]</i> Address of Employer: Reason(s) for non-performance:	

2. Pending Litigation

<input type="checkbox"/> No pending litigation in accordance with Section II, Evaluation and Qualification Criteria, Factor 2.				
<input type="checkbox"/> Pending litigation in accordance with Section II, Evaluation and Qualification Criteria, Factor 2 is indicated below:				
Year of dispute	Amount in dispute (currency)	Outcome as Percentage of Net Worth	Contract Identification	Total Contract Amount (USD equivalent)
			Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: Address of Employer: Matter in dispute: <i>[indicate main issues in dispute]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	

3. Litigation History

<input type="checkbox"/> No court/arbitral award decisions against the Applicant for the last five (5) years, in accordance with Section II, Qualification Criteria and Requirement, Factor 2.		
<input type="checkbox"/> Court/ arbitral award decisions against the Applicant for the last five (5) years, in accordance with Section II, Qualification Criteria and Requirement, Factor 2, are indicated below:		
Year of award	Contract Identification	Total Contract Amount (USD equivalent)
	Contract Identification: <i>[indicate complete contract name, number, and any other identification]</i> Name of Employer: Address of Employer: Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Employer" or "Contractor"]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	

Form FIN-1: Financial Situation

Date: *[insert day, month, year]*
Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

1. Financial data

Type of Financial information	Historic information for previous 5 years (amount in <i>[currency or USD equivalent]</i>)				
	Year A	Year B	Year C	Year D	Year E
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Profits After Taxes (PAT)					

2. Financial documents

The Applicant and its members shall provide copies of the financial statements for five (5) years pursuant Section II, Qualification Criteria and Requirement, Factor 3. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV, of each member, and not of an affiliated entity (such as parent company or group member).
- (b) be independently audited or certified in accordance with local legislation.
- (c) be complete, including all notes to the financial statements.
- (d) correspond to accounting periods already completed and audited.

- Attached are copies of financial statements* for the last five (5) years required above; and complying with the requirements.

** If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.*

Form FIN-2: Average Annual Construction Turnover

Date: *[insert day, month, year]*
 Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

Annual Turnover Data (Construction only)			
Year	Amount and Currency	Exchange rate	USD equivalent
Year A			
Year B			
Year C			
Year D			
Year F			
Average Annual Construction Turnover*			

** Total USD equivalent for all years divided by the total number of years, in accordance with Section II, Qualification Criteria and Requirement, Factor 3.*

Form FIR-1: Financial Resources

Date: *[insert day, month, year]*
 Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

[Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract(s) as specified in Section II, Qualification Criteria and Requirement, Factor 4.]

Financial Resources		
No.	Source of financing	Amount (USD equivalent)
1		
2		
3		

Form FIR-2: Current Contract Commitments

Date: *[insert day, month, year]*
 Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

[The Applicant and each member of a JV should provide information on its current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued, in accordance with Section II, Qualification Criteria and Requirement, Factor 4.]

Current Contract Commitments					
No.	Name of Contract	Employer's Address and Tel	Value of outstanding Work [Current USD equivalent]	Estimated completion date	Average monthly invoicing over last 6 months [USD/month]
1.					
2.					
3.					
4.					
5.					

Form EXP-1: General Construction Experience

Date: *[insert day, month, year]*
 Applicant's Name: *[insert full name]*

[The following table shall be filled in for the Applicant and for each member of a JV.]

*[Identify contracts that demonstrate continuous construction work over the past **three (3)** years pursuant to Section II, Qualification Criteria and Requirement, Factor 5. List contracts chronologically, according to their commencement (starting) dates.]*

General Construction Experience			
Starting Year	Ending Year	Contract Identification	Role of Bidder
		Contract name: Brief description of the Works performed by the Applicant: Amount of contract: <i>[insert amount in currency and USD equivalent]</i> Name of Employer: Address:	<i>[insert "Prime Contractor (Single entity or JV member)" or "Subcontractor" or "Management Contractor"]</i>

Form EXP-2: Specific Construction Experience

Date: *[insert day, month, year]*
Applicant's Name: *[insert full name]*

[The following table shall be filled in for contracts performed by the Applicant and by each member of a JV.]

[Fill out one (1) form per contract, in accordance with Section II, Qualification Criteria and Requirement, Factor 5.]

Contract of Similar Size and Nature			
No. # of 5	Information		
Contract Identification	<i>[insert contract name and reference identification number, if applicable]</i>		
Award Date			
Completion Date			
Role in Contract	<input type="checkbox"/> Single entity <input type="checkbox"/> Prime Contractor of a JV		
Total Contract Amount	<i>[insert total contract amount and currency]</i>		<i>[in USD equivalent]</i>
In case of a JV, participation in total Contract amount	<i>[insert a percentage of participation]</i>	<i>[insert amount and currency of participation]</i>	<i>[in USD equivalent]</i>
Employer's Name:			
Address: Telephone number: E-mail:			
Description of the similarity			
1. Physical size of required works items			
2. Complexity	<i>[insert description of complexity]</i>		
3. Methods / Technology	<i>[insert specific aspects of the methods / technology involved in the contract]</i>		
4. Other Characteristics			

C. Form ACK: Acknowledgement of Compliance with Procurement Guidelines for the Japanese Grants

A) I, *[insert name and position of authorized signatory]*, being duly authorized by *[insert name of Applicant/members of joint venture (JV)]* (hereinafter referred to as the “Applicant”) to execute this Acknowledgement of Compliance with Procurement Guidelines for the Japanese Grants, hereby certify on behalf of the Applicant and myself that all information provided in the Application Submission Form submitted by the Applicant for *[insert name of the Project]* is true, correct and accurate to the best of the Applicant’s and my knowledge and belief. I further certify, on behalf of the Applicant, that:

- (i) the Application has been prepared and submitted in full compliance with the terms and conditions set forth in the Procurement Guidelines for Japanese Grants (for Japanese consultant and local contractor) (Tentative Type II) (hereinafter referred to as the “Guidelines”); and
- (ii) the Applicant has not, directly or indirectly, taken any action which is or constitutes a corrupt, fraudulent, collusive or coercive act or practice in violation of the Guidelines and is not subject to any conflict of interest as stipulated in the relevant section of the Guidelines.

B) I certify, on behalf of the Applicant, that if selected to undertake services in connection with the contract, the Applicant shall carry out such services in continuing compliance with the terms and conditions of the Guidelines.

C) I further certify, on behalf of the Applicant, that if the Applicant is requested, directly or indirectly, to engage in any corrupt or fraudulent action under any applicable law, such as the payment of a rebate, at any time during a process of public procurement, negotiations, execution or implementation of contract (including the amendment thereof), the Applicant shall report all relevant facts regarding such request to the relevant section in JICA (details of which are specified below) in a timely manner.

JICA’s information desk on fraud and corruption (A report can be made to either of the offices identified below.)

- (i) JICA Headquarters: Legal Affairs Division, General Affairs Department

URL: <https://www2.jica.go.jp/en/odainfo/index.php>

Tel: +81 (0)3 5226 8850

- (ii) JICA XXXXXX office

Tel:

The Applicant acknowledges and agrees that the reporting obligation stated above shall NOT in any way affect the Applicant’s responsibilities, obligations or rights, under relevant laws, regulations, contracts, guidelines or otherwise, to disclose or report such request or other information to any other person(s) or to take any other action, required to or allowed to, be taken by the Applicant. The Applicant further acknowledges and agrees that JICA is not involved in or responsible for the procurement process in any way.

D) If any of the statements made herein is subsequently proven to be untrue or incorrect based on facts subsequently determined, or if any of the warranties or covenants made

herein is not complied with, the Applicant will accept, comply with, and not object to any remedies taken by the Client and any sanctions imposed by or actions taken by JICA.

Authorized Signatory

[insert name of signatory and title]

For and on behalf of *[insert name of the Applicant]*

Date: *[insert date]*

Section IV. Scope of Works